



# RULE-MAKING ORDER

**CR-103P (May 2009)**  
(Implements RCW 34.05.360)

**Agency:** Washington Horse Racing Commission

**Permanent Rule Only**

**Effective date of rule:**

**Permanent Rules**

☒ 31 days after filing.

☐ Other (specify) \_\_\_\_\_ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

☐ Yes ☒ No If Yes, explain:

**Purpose:** To clarify who is considered a racing official and what restrictions should be placed on them in regards to holding dual licensees and their ability to wager.

**Citation of existing rules affected by this order:**

Repealed:

Amended: WAC 260-24-500 Racing Officials

Suspended:

**Statutory authority for adoption:** RCW 67.16.020

**Other authority :**

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 10-24.003 on November 18, 2010.

Describe any changes other than editing from proposed to adopted version:

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: phone ( ) \_\_\_\_\_

Address: fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

**Date adopted:** January 13, 2011

**NAME (TYPE OR PRINT)**

Douglas L Moore

**SIGNATURE**

*Douglas L Moore*

**TITLE**

Deputy Secretary

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: January 14, 2011**

**TIME: 8:48 AM**

**WSR 11-03-048**

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	_____	Repealed	_____
<b>Recently enacted state statutes:</b>	New	_____	Amended	_____	Repealed	_____

**The number of sections adopted at the request of a nongovernmental entity:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted in the agency's own initiative:**

New	_____	Amended	<u>1</u>	Repealed	_____
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	_____	Amended	<u>1</u>	Repealed	_____
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	_____	Amended	<u>1</u>	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	_____	Amended	_____	Repealed	_____

AMENDATORY SECTION (Amending WSR 08-05-088, filed 2/15/08, effective 3/17/08)

**WAC 260-24-500 Racing officials.** (1) Officials at a race meet include the following:

- (a) Stewards;
- (b) Racing secretary;
- (c) Assistant racing secretary;
- (d) Horsemen's bookkeeper;
- ~~((d))~~ (e) Mutuel manager or designee;
- ~~((e))~~ (f) Official veterinarian(s);
- ~~((f))~~ (g) Horse identifier;
- ~~((g))~~ (h) Paddock judge;
- ~~((h))~~ (i) Starter;
- ~~((i))~~ (j) Assistant starters;
- (k) Security director, association;
- ~~((j))~~ (l) Commission investigator(s);
- ~~((k))~~ (m) Commission auditor;
- ~~((l))~~ (n) Clerk of scales;
- ~~((m))~~ (o) Jockey room supervisor;
- ~~((n))~~ (p) Film analyst;
- ~~((o))~~ (q) Clocker(s);
- ~~((p))~~ (r) Race timer;
- ~~((q))~~ (s) Paddock plater;
- ~~((r))~~ (t) Mutuel inspector;
- ~~((s))~~ (u) Outrider(s);
- ~~((t))~~ (v) Any other person designated by the commission.

(2) The association officials of a race meet will include but are not limited to: Racing secretary, mutuel manager, starter, horsemen's bookkeeper, association security director, jockey room supervisor and outrider(s).

(3) Eligibility:

- (a) To qualify as a racing official, the appointee must be:
  - (i) Of good character and reputation;
  - (ii) Familiar with the duties of the position and with the commission's rules of racing;
  - (iii) Mentally and physically able to perform the duties of the job; and
  - (iv) In good standing and not under suspension or ineligible in any recognized racing jurisdiction.

(b) To qualify for appointment as a steward the appointee must be an ~~((Association of Racing Commissioners International))~~ Racing Officials Accreditation Program-accredited steward, unless the appointee has been appointed as a substitute steward as provided in WAC 260-24-510, and be in good standing with all Association of Racing Commissioners International member jurisdictions. The commission may waive this accreditation requirement for Class C race meets.

(4) The commission, in its sole discretion, may determine the eligibility of a racing official and, in its sole discretion, may approve or disapprove any such official for licensing.

(5) While serving in an official capacity, racing officials (~~((and their assistants))~~) may not:

(a) (~~((Participate in the sale, purchase, or ownership of any horse racing at the meet; unless disclosed in advance and approved by the board of stewards;~~

~~((b)))~~ Sell or solicit horse insurance on any horse racing at the meet;

~~((c)))~~ (b) Be licensed in any other capacity without permission of the (~~((executive secretary, or in case of an emergency, the permission of the))~~) board of stewards;

~~((d))~~ Make a wager on the outcome of any horse race at a race meet under the jurisdiction of the commission; or

~~((e)))~~ If the board of stewards approves a racing official to be licensed in any other capacity, the board of stewards may impose conditions that may include participating in the sale, purchase, claim, or ownership of any horse racing at the meet;

(c) Consume or be under the influence of alcohol and/or drugs while performing official duties.

(6) The following association officials are prohibited from wagering on the outcome of any horse race at the race meet under the jurisdiction of the commission:

(a) Stewards;

(b) Racing secretary;

(c) Assistant racing secretary;

(d) Starter;

(e) Assistant starters;

(f) Jockey room supervisor;

(g) Paddock plater;

(h) Outriders;

(i) Mutuel manager or designee.

(7) Racing officials (~~((and their assistants))~~) must immediately report to the stewards every observed violation of these rules.

~~((+7)))~~ (8) Complaints against officials:

(a) Any complaint against an association racing official other than a steward will be made to the board of stewards in writing and signed by the complainant. The presiding steward will report to the executive secretary the action taken or recommended by the board of stewards. The executive secretary will determine whether the matter will be referred to the commission. The board of stewards will notify the complainant, in writing, of the action taken or recommended;

(b) Any complaint against a commission racing official, including an association steward, will be made to the executive secretary. The executive secretary will, if able, notify the complainant in writing of the action taken~~((+7)))~~.

~~((+8)))~~ (9) Should any steward be absent at race time, and no approved alternate steward be available, the remaining stewards may appoint a substitute for the absent steward. If a substitute steward is appointed, the presiding steward will notify the executive secretary and the association.

